

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LEILA GHAVAMI SHAHIDI,

Plaintiff,

-against-

SUE ROBINETTE, et al.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/13/2023

1:22-cv-6075 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

The Court held a status conference with parties on October 13, 2023. As discussed at the conference, Plaintiff is HEREBY DIRECTED to file her anticipated motion for default judgment with respect to Defendant Nitin Karnik **by the close of business on October 16, 2023**. Defendant Todd Kulkin is HEREBY DIRECTED to enter a notice of appearance on the docket **by the close of business on October 16, 2023**.

The Court is in receipt of several motions filed by Plaintiff. [See ECF Nos. 76, 79, 81.] The motion to compel Sulu Karnik to complete her deposition is DENIED as untimely. However, the Court GRANTS Plaintiff's request for monetary sanctions against Ms. Karnik. Plaintiff shall file a letter on the docket **on or before October 18, 2023**, informing the Court of the cost of the court reporter at the scheduled deposition for which Ms. Karnik failed to appear. The Court will fine Ms. Karnik in that amount. Further, given Ms. Karnik's repeated failure to appear for a deposition, the Court will PRECLUDE any testimony or evidence from Ms. Karnik at trial.

The motion to permit foreign non-party witnesses to testify remotely at trial is DENIED without prejudice for failure to show good cause.

The motion for sanctions with respect to Todd Kulkin is GRANTED IN PART and DENIED IN PART. The Requests for Admission will be deemed ADMITTED, given Mr.

Kulkin's failure to respond. The Court will not admit any documents at trial that were not produced in response to timely discovery requests. Further, Mr. Kulkin is HEREBY DIRECTED to sit for a deposition **within 30 days of the date of this Order.**

The Court will enter an Amended Issue of Reference to the assigned Magistrate Judge in this action. All parties are directed to appear for any scheduled settlement conference and to proceed in good faith. Plaintiff is HEREBY DIRECTED to serve Defendant Nitin Karnik with the Court's Amended Order of Reference and any other court order pertaining to a settlement conference. Plaintiff is FURTHER DIRECTED to file proof of service on the docket **within three business days of the issuance of any such court order.**

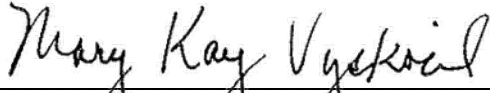
Further delays by any party in litigating this action will NOT be permitted. Any remaining disputes must be PROMPTLY brought to the attention of the Court.

Both parties are on notice that continued failure to comply with their discovery obligations or to follow any Order, Individual Rule, or Local Rule of this Court may result in sanctions, including preclusion of claims, evidence, or defenses, monetary penalties, other sanctions on the parties or their counsel, and/or dismissal of this action.

The Clerk of Court is respectfully requested to terminate ECF Nos. 76 and 79.

SO ORDERED.

Date: October 13, 2023
New York, NY



MARY KAY VYSKOCIL
United States District Judge